

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

SUNLINE USA LLC, d/b/a
SUNLINE SUPPLY,
313 W. 4th Street
Bridgeport, PA 19405,

Plaintiff,

v.

EZZI GROUP, INC.,
9011 Leslie Street
Richmond Hill, ON
L4B 3B6, Canada,

Defendant.

CIVIL ACTION – LAW

NO. _____

JURY TRIAL DEMANDED

COMPLAINT

Plaintiff, Sunline USA LLC, d/b/a Sunline Supply (“Sunline”), hereby files its Complaint against Defendant, Ezzi Group, Inc. (“Ezzi”), and avers as follows:

PARTIES

1. Sunline is a domestic Pennsylvania limited liability company with a principal business address at 313 W 4th Street, Bridgeport, Pennsylvania 19405.

2. Upon information and belief, Ezzi is a Canadian corporation with a principal place of business located at 9011 Leslie Street, Richmond Hill, Ontario, Canada.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332, in that there is complete diversity of citizenship between Sunline and Ezzi, and the amount in controversy in this action exceeds \$75,000.00, exclusive of interest and costs.

4. This Court may exercise personal jurisdiction over Ezzi because, as set forth herein, Ezzi purposefully availed itself of the privilege of conducting business in Pennsylvania.

5. Specifically, Ezzi (1) purposefully reached into Pennsylvania to solicit Sunline to enter into the transactions at issue, (2) engaged in business in Pennsylvania with respect to the transactions at issue by repeatedly communicating with Sunline's representatives in Pennsylvania, (3) mailed sample products directly to Sunline's offices in Pennsylvania in order to obtain Sunline's business, and (4) entered into the transactions at issue with Sunline knowing that the products purchased by Sunline from Ezzi would ultimately be sold out of Sunline's offices in Pennsylvania.

6. Venue is appropriate in this Court pursuant to the provisions of 28 U.S.C. § 1391 because a substantial part of the events or omissions giving rise to the claim occurred in this District. Additionally, the damages caused by Ezzi's conduct were suffered by Sunline in this District.

BACKGROUND

7. Sunline procures high quality personal protective equipment ("PPE"), including, but not limited to, nitrile gloves, vinyl gloves, thermo elastomer gloves, and other products classified as PPE for healthcare and pharma entities, domestic food and manufacturing firms, commercial, educational, and industrial sectors, and law enforcement and governmental agencies across North America.

8. Ezzi is a Canadian company that markets itself as "the supply chain and distribution partner for PPE manufacturers and supply companies around the world." [See ezzigroup.com (last visited February 17, 2022)]. Among other products, Ezzi purports to sell "Ezzimed gloves [that] are 100% latex-free and powder-free gloves manufactured by

[Ezzi's] own manufacturing facility" in China. [See ezzigroup.com/ezzimed-gloves (last visited February 17, 2022)]. In addition, Ezzi represents that the "Ezzimed line is a non-medical, high quality, powder free, nitrile glove with high puncture resistance, super chemical resistance, low sweat technology (surpasses comfort for extended wear) and is certified as EN-455." [See *id.*].

9. According to Ezzi, Untamedical (Shandong) Bio-Technology Co., Ltd. ("Untamedical") is Ezzi's manufacturing facility in China.

10. On or about February 1, 2021, Ezzi engaged in communication with Sunline, speaking with Sunline's corporate representatives located in Bridgeport, Pennsylvania in an attempt to sell PPE to Sunline, including what Ezzi represented were 100% latex-free and powder-free nitrile gloves manufactured in Ezzi's own manufacturing facility located in China.

11. After the initial conversations between Ezzi and Sunline, Ezzi further solicited Sunline's business by mailing a sample of the nitrile gloves that it purportedly manufactured directly to Sunline's offices in Bridgeport, Pennsylvania.

12. Sunline tested the sample gloves produced by Ezzi to ensure their quality and composition. The testing confirmed that the sample gloves met the requisite industry standards for nitrile gloves.

13. Ezzi also provided Sunline with documents purportedly authored by an industry established inspection company, SGS, which indicated that the gloves that were to be sold to Sunline met the standards for nitrile composition and suitable for delivery to Sunline for sale to its customers.

14. Accordingly, based on Ezzi's representations, documentation, and supposed samples, Sunline purchased over one million dollars in product from Ezzi through the following

transactions (collectively, the “Ezzi Transactions”), copies of which are attached hereto as Exhibit “A”:

Date	Invoice Number	Items & Quantity	Purchase Price (USD)
February 25, 2021	248	200,000 Sunline glove boxes	\$28,000.00
March 5, 2021	252	1 million Sunline glove boxes	\$110,000.00
March 22, 2021	254	1 million Sunline glove boxes	\$200,000.00
March 23, 2021	255	60,000 boxes of Sunline private labeled, non-medical, black color nitrile gloves	\$510,000.00
March 29, 2021	256	65,000 boxes of Sunline, private labeled, non-medical, blue color, nitrile gloves	\$520,000.00

15. In total, Sunline remitted payment to Ezzi in the amount of \$1,368,000.00 in the form of wire transfers between February 25, 2021, and March 29, 2021, for the purchase of the nitrile gloves and related supplies.

16. As is customary in the PPE industry, Sunline and Ezzi agreed and understood that Sunline would test the gloves’ quality and composition before the gloves would be shipped and delivered to Sunline’s warehouse in Bridgeport, Pennsylvania.

17. On or about April 7, 2021, Ezzi delivered an initial batch of 126,000 gloves for Sunline’s inspection and supposed acceptance to Sunline’s warehouse in China.

18. Sunline contracted with an independent testing company, TUV, to test the gloves to ensure quality and composition prior to arranging the logistics for importing the products into the United States.

19. The independent testing company concluded that the gloves delivered by Ezzi were comprised of poly-vinyl chloride and not nitrile rubber. A true and correct copy of the testing report is attached hereto as Exhibit “B.”

20. As the gloves did not meet the requisite standards for nitrile gloves, Sunline demanded that Ezzi immediately produce the nitrile gloves that Sunline ordered, or refund Sunline all amounts paid.

21. Ezzi refused Sunline’s demands.

22. Additionally, Sunline learned that the documents supplied by Ezzi and Untamedical were fraudulent and the gloves produced by Ezzi and Untamedical were not cleared to be shipped to the United States.

23. As a result, the initial shipment of gloves remains in Sunline’s warehouse in China, incurring storage fees.

24. As a result of Ezzi’s actions, Sunline has suffered significant monetary damages, including the \$1,368,000.00 that Sunline paid to Ezzi in connection with the Ezzi Transactions and at least \$60,000.00 in storage fees for the delivered non-conforming goods.

25. Additionally, as a result of Ezzi’s actions, Sunline was unable to fulfill its customers’ orders for the nitrile gloves, which has exposed Sunline to liability in the form of lawsuits from its customers, plus damages to Sunline’s reputation and goodwill.

COUNT I
BREACH OF CONTRACT

26. Sunline incorporates the foregoing paragraphs as if the same were set forth fully herein.

27. As set forth above, Sunline and Ezzi entered into a valid and binding contract, pursuant to which Sunline agreed to purchase high-quality nitrile gloves from Ezzi.

28. Sunline paid Ezzi \$1,368,000.00 for the purchase of the high-quality nitrile gloves that Ezzi promised to deliver and paid at least \$60,000.00 in storage fees for the non-conforming goods delivered by Ezzi.

29. Sunline satisfied all of its obligations under its agreement with Ezzi.

30. Ezzi breached its agreement with Sunline by failing to deliver the high-quality nitrile gloves purchased by Sunline.

31. As a direct and proximate result of Ezzi's contractual breach, Sunline has suffered damages in an amount not less than \$1,428,000.00, plus damage to its goodwill, reputation, attorneys' fees, and costs.

WHEREFORE, Sunline respectfully requests that the Court enter judgment against Ezzi in an amount no less than \$1,428,000.00, plus Sunline's attorneys' fees, costs, interests, and such other further relief as the Court deems just and necessary.

COUNT II
UNJUST ENRICHMENT (In the Alternative)

32. Sunline incorporates the foregoing paragraphs as if the same were set forth fully herein.

33. Sunline conferred a benefit on Ezzi in the form of the payments totaling \$1,368,000.00 as described above.

34. Ezzi received and accepted the payments made by Sunline.

35. Ezzi was aware that Sunline issued the payments to Ezzi with the expectation that Ezzi would deliver to Sunline the high-quality nitrile gloves ordered by Sunline.

36. Ezzi was unjustly enriched by retaining the payments made by Sunline without delivering the high-quality nitrile gloves to Sunline and by forcing Sunline to store Ezzi's non-confirming goods at an expense of over \$60,000.

37. Ezzi has been unjustly enriched at Sunline's expense.

38. As a direct and proximate result of Ezzi's unjust enrichment, Sunline has suffered and continues to suffer irreparable harm and damages.

WHEREFORE, Sunline respectfully requests that the Court enter judgment against Ezzi in an amount no less than \$1,428,000.00, plus Sunline's attorneys' fees, costs, interests, and such other further relief as the Court deems just and necessary.

FOX ROTHSCHILD LLP

Dated: April 28, 2022

BY: /s/ Danielle E. Ryan
Danielle E. Ryan, Esquire
Atty. I.D. No. 314229
Eagleview Corporate Center
747 Constitution Drive, Suite 100
P.O. Box 673
Exton, PA 19341
(610) 458-7500
Attorneys for Plaintiff,
Sunline USA LLC, d/b/a Sunline Supply

EXHIBIT A

INVOICE**EZZIGROUP INC.**

306-9011 Leslie Street.
 Richmond Hill, ON L4B 3B6, Canada
 rrasouli@ezzigroup.com
 www.ezzigroup.com
 Phone: 1.647.860.9420



BILL TO:	SHIP TO:
-----------------	-----------------

Jordan Berkowitz

Sunline Supply, LLC &
 Arnold's Office Furniture

Ship to UntaMedical Facility
 Dalian, China

313 West 4th Street, Bridgeport, PA 19405

INVOICE #	DATE	TOTAL INVOICE	DEPOSIT DATE	P.O. NUMBER	TERMS
248	25/02/2021	\$28,000.00	Paid in Full		100% Paid in Full

DATE	ITEM	DISCRIPTION	QTY	UNIT PRICE	AMOUNT
25/02/2021	Sunline Nitrile Glove Boxes	Printing of private labelled, Sunline glove boxes. Large and X-Large only. Full colour with semi glass coating	200,000	\$0.14	\$28,000.00
Please note: Estimated shipping date will be March 3, 2021. to UntaMedical facility, Dalian, China			TOTAL \$USD		\$28,000.00
			DEPOSIT		\$28,000.00
			BALANCE		\$0.00

EZZIGROUP USD WIRE INFORMATION**BENEFICIARY INFO:**

- Account Name: EZZIGROUP INC.
- Account Address: 17 Miriam, Crest, Richmond Hill, ON, L4B 2P7, Canada
- Beneficiary Phone: 1.647.860.9420
- Institution number: 004
- Branch: 10832
- Account: 7309840
- Routing # (EFT): 000410832
- Bank Address: 9019 Bayview Ave, unit 24, Richmond Hill, ON- L4B 3M6, Canada
- INTERMEDIARY BANK
- Settlement to: Bank of America, New York
- SWIFT: BOFAUS3NXXX
- Fedwire: ABA# 026009593

We appreciate your business and looking forward to providing you with another excellent service again.

Thank you for your business.

INVOICE**EZZIGROUP INC.**

306-9011 Leslie Street.
 Richmond Hill, ON L4B 3B6, Canada
 rrasouli@ezzigroup.com
 www.ezzigroup.com
 Phone: 1.647.860.9420



BILL TO:	SHIP TO:
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Jordan Berkowitz

Sunline Supply, LLC &
 Arnold's Office Furniture

Ship to UntaMedical Facility
 Dalian, China

313 West 4th Street, Bridgeport, PA 19405

INVOICE #	DATE	TOTAL INVOICE	DEPOSIT DATE	P.O. NUMBER	TERMS
252	05/03/2021	\$110,000.00	Due on receipt		50% on P.O. 50% Mar 20,2021

DATE	ITEM	DISCRIPTION	QTY	UNIT PRICE	AMOUNT
05/03/2021	Sunline Nitrile Glove Boxes. Sizes: S 100,000 - M 400,000 - L 400,000 - XL 100,000	Printing of private labelled, Sunline glove boxes.Full colour with semi glass coating	1,000,000	\$0.11	\$110,000.00
Please note: Estimated shipping date will start from March 9, 2021 and continue on daily bases until the full order is delivered to UntaMedical facility, Dalian, China			TOTAL \$USD		\$110,000.00
			DEPOSIT		\$55,000.00
			BALANCE		\$55,000.00

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- Account Address: 17 Miriam, Crest, Richmond Hill, ON, L4B 2P7, Canada
- Beneficiary Phone: 1.647.860.9420
- Institution number: 004
- Branch: 10832
- Account: 7309840
- Routing # (EFT): 000410832
- Bank Address: 9019 Bayview Ave, unit 24, Richmond Hill, ON- L4B 3M6, Canada
- INTERMEDIARY BANK
- Settlement to: Bank of America, New York
- SWIFT: BOFAUS3NXXX
- Fedwire: ABA# 026009593

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INVOICE**EZZIGROUP INC.**

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 Richmond Hill, ON L4B 3B6, Canada
 rrasouli@ezzigroup.com
 www.ezzigroup.com
 Phone: 1.647.860.9420



BILL TO:	SHIP TO:
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Jordan Berkowitz

Sunline Supply, LLC &
 Arnold's Office Furniture
 313 West 4th Street, Bridgeport, PA 19405

Ship to UntaMedical Facility
 Dalian, China

INVOICE #	DATE	TOTAL INVOICE	DEPOSIT DATE	P.O. NUMBER	TERMS
254	22/03/2021	\$200,000.00	Due on receipt		100% payment on order

DATE	ITEM	DISCRIPTION	QTY	UNIT PRICE	AMOUNT
22/03/2021	Sunline Nitrile Glove Boxes. Sizes: S 100,000 - M 400,000 - L 400,000 - XL 100,000	Printing of private labelled, Sunline glove boxes.Full colour with semi glass coating	1,000,000	\$0.20	\$200,000.00
Please note: Estimated shipping date will start from March 29, 2021 and continue on daily bases until the full order is delivered to UntaMedical facility, Dalian, China			TOTAL \$USD		\$200,000.00
			DEPOSIT		\$200,000.00
			BALANCE		\$0.00

EZZIGROUP USD WIRE INFORMATION**BENEFICIARY INFO:**

- Account Name: EZZIGROUP INC.
- Account Address: 17 Miriam, Crest, Richmond Hill, ON, L4B 2P7, Canada
- Beneficiary Phone: 1.647.860.9420
- Institution number: 004
- Branch: 10832
- Account: 7309840
- Routing # (EFT): 000410832
- Bank Address: 9019 Bayview Ave, unit 24, Richmond Hill, ON- L4B 3M6, Canada
- INTERMEDIARY BANK
- Settlement to: Bank of America, New York
- SWIFT: BOFAUS3NXXX
- Fedwire: ABA# 026009593

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INVOICE**EZZIGROUP INC.**

306-9011 Leslie Street.
 Richmond Hill, ON L4B 3B6, Canada
 rrasouli@ezzigroup.com
 www.ezzigroup.com
 Phone: 1.647.860.9420



BILL TO:	SHIP TO:
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Jordan Berkowitz
 Sunline Supply, LLC & FOB Untamedical factory, Qingdao, China
 Arnold's Office Furniture
 313 West 4th Street, Bridgeport, PA 19405
 Corporate Entity IDEN # 7050623

INVOICE #	DATE	TOTAL INVOICE	DEPOSIT DATE	P.O. NUMBER
255	23/03/2021	\$510,000.00	Paid	25022021POBUYFOB165KEZZI002

DATE	ITEM	DISCRIPTION	QTY	UNIT PRICE	AMOUNT
23/03/2021	30,000 boxes of Large 30,000 boxes of X-Large	Sunline private label box. Non-Medical, black colour, nitrile gloves	60,000	\$8.50	\$510,000.00
Please note: Part shipment of above number. Shipping date is according to flight schedule booked by client.			TOTAL \$USD		\$510,000.00
			DEPOSIT		\$8,400.00
			BALANCE		\$501,600.00

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- Account Address: 17 Miriam, Crest, Richmond Hill, ON, L4B 2P7, Canada
- Beneficiary Phone: 1.647.860.9420
- Institution number: 004
- Branch: 10832
- Account: 7309840
- Routing # (EFT): 000410832
- Bank Address: 9019 Bayview Ave, unit 24, Richmond Hill, ON- L4B 3M6, Canada
- INTERMEDIARY BANK
- Settlement to: Bank of America, New York
- SWIFT: BOFAUS3NXXX
- Fedwire: ABA# 026009593

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INVOICE**EZZIGROUP INC.**

306-9011 Leslie Street.
 Richmond Hill, ON L4B 3B6, Canada
 rrasouli@ezzigroup.com
 www.ezzigroup.com
 Phone: 1.647.860.9420



BILL TO:	SHIP TO:
-----------------	-----------------

Jordan Berkowitz
 Sunline Supply, LLC & FOB Untamedical factory, Qingdao, China
 Arnolds Office Furniture, LLC.
 313 West 4th Street, Bridgeport, PA 19405
 Corporate Entity IDEN # 7050623

INVOICE #	DATE	TOTAL INVOICE	DEPOSIT DATE	P.O. NUMBER
256	29/03/2021	\$520,000.00	Due on receipt	Please refer to note section

DATE	ITEM	DISCRIPTION	QTY	UNIT PRICE	AMOUNT
29/03/2021	10% Small. 40% Medium. 40% Large 10% X-Large	Sunline private label box. Non-Medical, blue colour, nitrile gloves	65,000	\$8.00	\$520,000.00
Please note:			TOTAL \$USD		\$520,000.00
Partial of P.O# 60K blue: 60KSUNLINE210321POBUYFOB001AIROEMNO510K			DEPOSIT		\$7,150.00
P.O# 20K blue: 050321POBUYFOB20KEZZI002AIR			BALANCE		\$512,850.00
Shipping date is according to flight schedule booked by client.					

EZZIGROUP USD WIRE INFORMATION**BENEFICIARY INFO:**

- Account Name: EZZIGROUP INC.
- Account Address: 17 Miriam, Crest, Richmond Hill, ON, L4B 2P7, Canada
- Beneficiary Phone: 1.647.860.9420
- Institution number: 004
- Branch: 10832
- Account: 7309840
- Routing # (EFT): 000410832
- Bank Address: 9019 Bayview Ave, unit 24, Richmond Hill, ON- L4B 3M6, Canada
- INTERMEDIARY BANK
- Settlement to: Bank of America, New York
- SWIFT: BOFAUS3NXXX
- Fedwire: ABA# 026009593

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EXHIBIT B



Test Report **No.: 70.431.21.11885.01**
Date: 2021-04-19

Applicant: SUNLINE SUPPLY LLC
Address: 313W 4TH STREET, BRIDGEPORT, PA19405, USA
Product Name: Disposable Nitrile glove
Country of Destination: USA
Receipt Date of Sample: 2021-04-07
Date of Testing: 2021-04-07 to 2021-04-19
Sample Submitted: The sample(s) was (were) submitted by applicant and identified.
Test Result: Refer to the data listed in following pages

Test Item**Conclusion****1. Composition Analysis****See result 1**

**TÜV SÜD Certification and Testing (China) Co., Ltd. Shanghai Branch
 Testing Center**

Prepared by:


Jenny Yao
Technical Engineer

Authorized by:


Sawyer Tang
Technical Manager



**Note:**

- (1) The TÜV SÜD Certification and Testing (China) Co., Ltd. "General Terms & Conditions" applied.
 Any use for advertising purposes must be granted in writing. This technical report may only be quoted in full. This report is the result of a single examination of the object in question and is not generally applicable evaluation of the quality of other products in regular production.
 For further details, please see "Testing and certification regulation", chapter A-3.4
 For full version, please visit: EN : <https://www.tuvsud.cn/zh-cn/resource/terms-and-conditions---en> ; SCN: <https://www.tuvsud.cn/zh-cn/terms-and-conditions> ; TCN: <https://www.tuvsud.com/zh-tw/terms-and-conditions>
- (2) The results relate only to the items tested.
- (3) The test report shall not be reproduced except in full without the written approval of the laboratory
- (4) **Disclaimer Measurement Uncertainty:**
 Unless otherwise agreed upon, Pass or Fail verdicts are given based on the measured values without any considerations of measurement uncertainties. Please note, every test method has a measurement uncertainty which has been evaluated by the laboratory according to ISO/IEC 17025 requirements. By taking measurement uncertainties into account it might happen that measured values can neither be assessed as Pass nor as Fail.



Test Report **No.: 70.431.21.11885.01**
Date: 2021-04-19

Description of Tested Subject:

Sample	Description	Photo
001	Disposable Nitrile glove	
002	Disposable Nitrile glove	



Test Report **No.: 70.431.21.11885.01**
Date: 2021-04-19

Test Result(s):

1. Composition Analysis

Compound No.	Compound Name	Abbreviation/CAS No.	Test Criterion
Major ingredient	Poly(vinyl chloride)	PVC	FTIR /Py-GCMS

Sample	Test Result	Abbreviation/CAS No.	Test Criterion
001	ND	NBR	FTIR /Py-GCMS
002	ND	NBR	FTIR /Py-GCMS

Remark: 1.ND = Not Detected (<MDL)
 2. The detection limit of NBR was about 1%



Test Report**No.: 70.431.21.11885.01****Date: 2021-04-19**

Sample 001:

1.FTIR

Figure 1 is the FTIR spectrum of original sample, which shows no characteristic peaks of NBR in the spectrum of the sample around 2237 cm^{-1} .

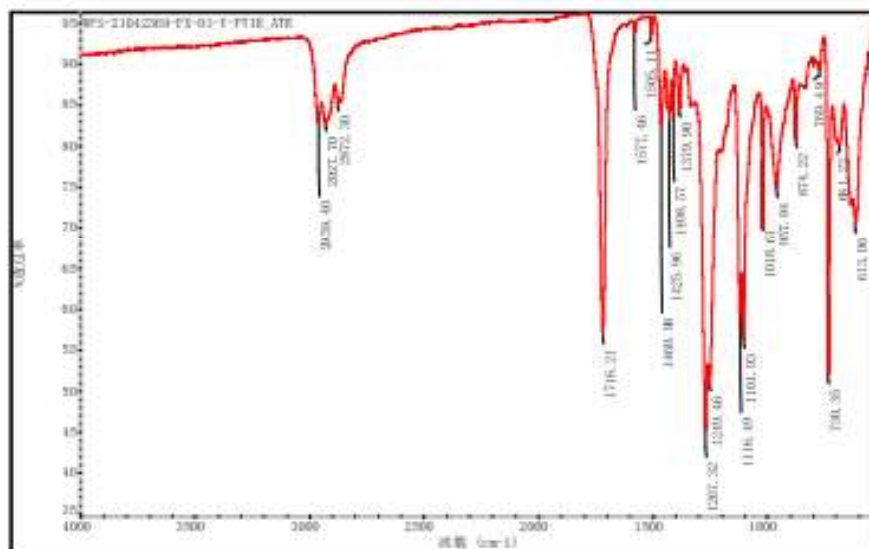


Figure 1 the FTIR spectrum of original sample

2.Py-GCMS

Figure 2 is the Py-GCMS spectrum of original sample, the information of NBR characteristic fragment was not detected.

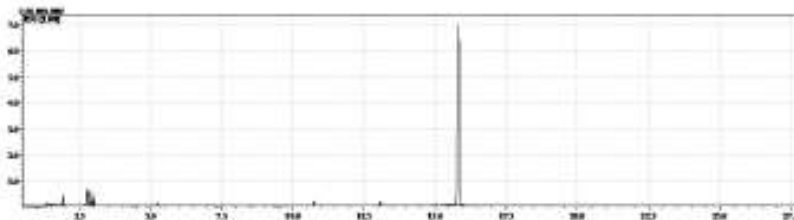


Figure 2 the Py-GCMS spectrum of original sample

R.T.:1.500min



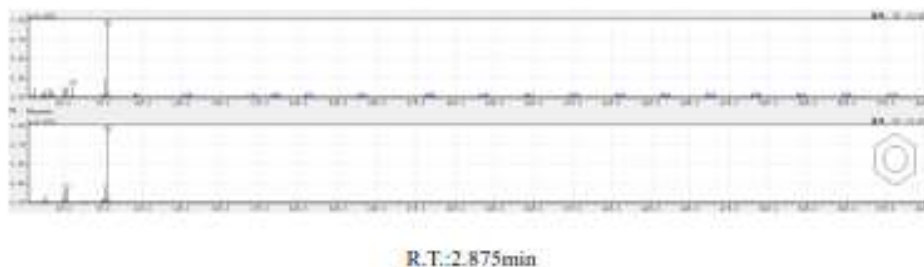
R.T.:1.920min



Test Report

No.: 70.431.21.11885.01

Date: 2021-04-19





Test Report

No.: 70.431.21.11885.01

Date: 2021-04-19

Sample 002

1.FTIR

Figure 1 is the FTIR spectrum of original sample, which shows no characteristic peaks of NBR in the spectrum of the sample around 2237 cm^{-1} .

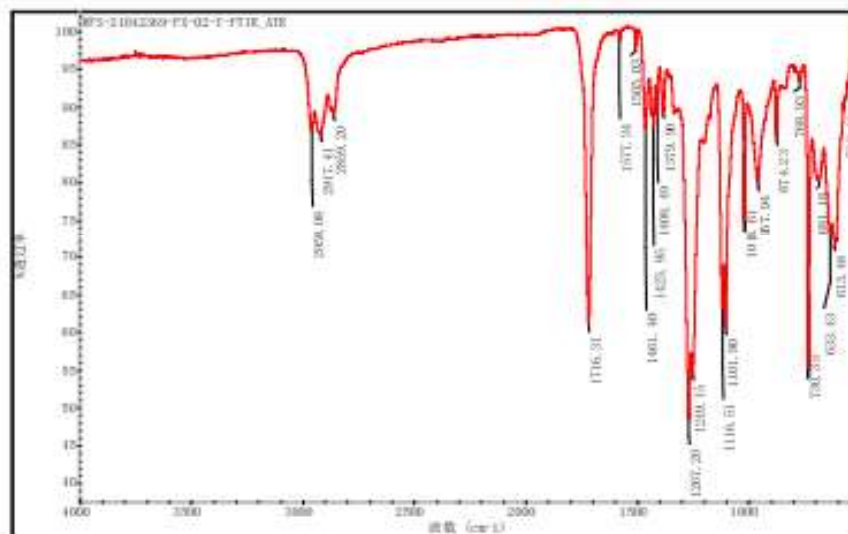


Figure 1 the FTIR spectrum of original sample

2.Py-GCMS

Figure 2 is the Py-GCMS spectrum of original sample, the information of NBR characteristic fragment was not detected.

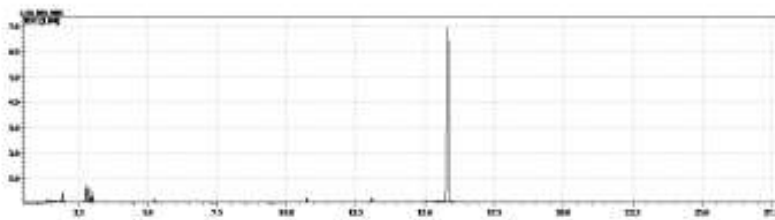


Figure 2 the Py-GCMS spectrum of original sample

R.T.:1.495min





Test Report

No.: 70.431.21.11885.01

Date: 2021-04-19

R.T.-1.930min



R.T.-2.675min



-End of Test Report-